THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.8406 OF 1997

DATED: 24-01-2007

Between:

Nalluri Venkatalakshmi

.. Petitioner

and

District Co-operative Central Bank Limited represented by its General Manager, Eluru, West Godavari District.

.. Respondent

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.8406 OF 1997

ORDER:

This writ petition is filed seeking a mandamus directing the respondent to act in accordance with law and appoint the petitioner as a Clerk by granting preferential consideration under Section 25-H of the Industrial Disputes Act (for short 'the Act').

It appears, the petitioner worked as a NMR Clerk on daily wage basis in the branch of the respondent-bank at Tanuku during the period from 03-05-1986 to 13-05-1987. Thus, she worked for more than 240 days continuously and, therefore, entitled for the benefit of Section 25-H of the Act for being considered for re-appointment. Apart from that, at the time of retrenchment, she was also assured that the respondent would re-appoint her as NMR Clerk as and when vacancy arises. In fact, some retrenched workmen were re-appointed, but the case of the petitioner was not considered. Therefore, this writ petition.

While admitting the writ petition, this Court, by an order dated 10-06-1997 in W.P.M.P.No.10254 of 1997, directed the respondent to consider the case of the petitioner for appointment as a Clerk in the existing vacancy by way of preferential consideration pending disposal of the writ petition.

Now it is about ten years since the interim order was

made. No counter is filed on behalf of the respondent.

Therefore, I deem it appropriate to direct the respondent to consider the case of the petitioner for appointment, under Section 25-H of the Act, if not already considered, within a period of two months from the date of receipt of a copy of this Order and pass appropriate orders and communicate the same to the petitioner.

With the above direction, the writ petition is disposed of. There shall be no order as to costs.

C.V. RAMULU, J

24th January 2007.
IBL